

Here, although Barnes's claims were determined on summary judgment, Clarkson's counterclaims remain pending below. As a result, there is no final order for purposes of appeal. Nonfinal orders may be appealed if permission is granted by an appellate court pursuant to rule 5 of the Utah Rules of Appellate Procedure or if the order is certified as final pursuant to rule 54(b) of the Utah Rules of Civil Procedure. See id. at ¶12. However, Barnes has not pursued either of these avenues for appeal. Accordingly, this court lacks jurisdiction over this appeal and must dismiss it. See id. at ¶11.

This appeal is dismissed without prejudice to the timely filing of a notice of appeal after the entry of a final order.

Russell W. Bench,
Presiding Judge

Pamela T. Greenwood,
Associate Presiding Judge

Carolyn B. McHugh, Judge